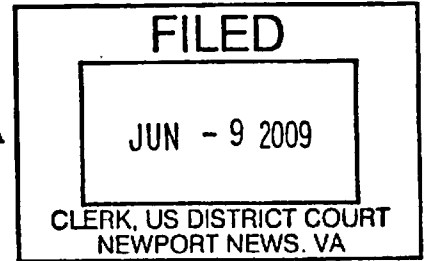


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division



WILLIAM K. STONE,

Plaintiff,

v.

Civil Action No. 4:09-cv-72

HVM, L.L.C.,  
d/b/a EXTENDED STAY AMERICA,

TRAVELOCITY.COM L.P.,

and

SABRE, INC.

Defendants.

**NOTICE OF REMOVAL**

The Defendant, HVM, L.L.C. d/b/a Extended Stay America (HVM), by counsel, files this Notice of Removal pursuant to 28 U.S.C. §§ 1441 and 1446, on the following grounds:

1. This civil action was commenced by the filing of a Complaint on or about May 6, 2009, and is currently pending in the Circuit Court of the City of Hampton, Virginia. Copies of all process, pleadings, papers and orders filed in the Circuit Court of the City of Hampton, Virginia, are attached to this Notice as **Exhibit A**.

2. HVM has not been served, but is filing an Answer to the Plaintiff's Complaint simultaneously with this Notice of Removal.

3. No further proceedings have been had in this action.

4. The amount in controversy in the action, exclusive of interest and cost, exceeds \$75,000.00.

5. Plaintiff William K. Stone is, and was at the time this action was filed, a citizen and resident of the State of California.

6. HVM is, and was at the time this action was filed, a corporation incorporated in the State of Delaware, with its principal place of business in the State of South Carolina. It was not and is not now, a citizen of the Commonwealth of Virginia.

7. Defendant Travelocity.com L.P. is, and was at the time this action was filed, a corporation incorporated in the States of Delaware, with its principal place of business in the State of Texas. It was not and is not now, a citizen of the Commonwealth of Virginia.

8. Defendant Sabre, Inc., is, and was at the time this action was filed, a corporation incorporated in the States of Delaware, with its principal place of business in the State of Texas. It was not and is not now, a citizen of the Commonwealth of Virginia.

9. This action involves a controversy wholly between citizens of different states. There is complete diversity of citizenship.

10. This Court has original jurisdiction in this action pursuant to 28 U.S.C. § 1332(a), and the action may therefore be removed to this Court pursuant to 28 U.S.C. § 1441(a).

11. Defendant HVM wishes to remove this case to this Court.

12. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty (30) days after receipt by HVM of Plaintiff's Complaint through service or otherwise.

13. Neither Defendant Travelocity.com LP, nor Defendant Sabre, Inc. have been served. As such, HVM is the only current party-defendant, and the agreement of Defendant Travelocity.com L.P. and Defendant Sabre, Inc. to this removal is not required and has not been sought.

WHEREFORE Defendant HVM, L.L.C. d/b/a Extended Stay America (HVM), by counsel, respectfully requests that the above-entitled action be removed from the Circuit Court of the City of Hampton, Virginia, to this Court.

Respectfully submitted,

HVM, L.L.C.,  
d/b/a EXTENDED STAY AMERICA

By:   
Counsel

William B. Tiller (VSB #30433)  
Dannel C. Duddy (VSB #72906)  
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*Counsel for HVM, L.L.C. d/b/a  
Extended Stay America*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Notice of Removal was mailed this 5<sup>th</sup> day

of June, 2009, to the following:

Gerald G. Poindexter  
11945 Rolfe Highway  
P.O. Box 358  
Surry, VA 23883  
(757) -294-3118-Telephone  
*Counsel for Plaintiff*

Verbena Askew  
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*Counsel for Plaintiff*

Registered Agent  
Service Company  
11 South 12st Street  
P.O. Box 1146  
Richmond, VA 23218  
*Travelocity.com LP*  
*Sabre, Inc.*

And VIA UPS Overnight to:

Linda Batchelor Smith  
Clerk of Court  
City of Hampton Circuit Court  
P. O. Box 40  
101 King's Way Mall  
Hampton, VA 23669-0040



William B. Tiller (VSB #30433)

Dannel C. Duddy (VSB #72906)

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*Counsel for HVM, L.L.C. d/b/a*

*Extended Stay America*